

Exhibit 3



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TECH

Uber makes life miserable for design company with same name

By Kaja Whitehouse

November 25, 2014 | 5:44pm



Sisters Elena Kriegner (left) and Herta Kriegner
Robert Miller

The weather forecast calls for rain and snow in the Big Apple on Wednesday, which means Herta Kriegner will be inundated with calls from people looking to book an Uber ride — or to complain about Uber's service.

"On days when it rains, it's worse. I think tomorrow will be a really bad day. The phones will ring off the hook," said Kriegner, 47.

Only Kriegner doesn't work for Uber Technologies, the \$17 billion taxi-hail app company that wants to take over the taxi industry.

Kriegner is president and founder of Uber Inc., a Midtown Manhattan graphic design company that registered its name in January 1999 — a good 10 years before Travis Kalanick, CEO of the taxi technology company, came up with his name.

But Kalanick's use of the same name — as well as his company's decision not to have a phone-based customer service center — is making Kriegner's life a living hell.

Since August, when a totally fed-up Kriegner and her sister, Elena, started keeping a detailed log, the small design firm has gotten nearly 500 calls intended for Kalanick's Uber.

Some of the calls are from riders asking about items — like furs or smartphones — left in Uber cars. Other calls are from Uber drivers looking for their paychecks.

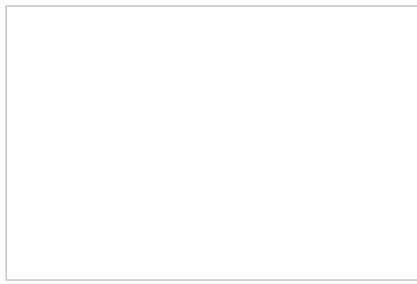
Kriegner politely tells callers to go to Uber Technologies' website — but that usually just makes them angrier. The taxi-hail app has a customer service number, but it leads to a recording rather than a person. And calls to 411 for Uber led to Kriegner's firm.

Kriegner and her sister sometimes end up with an earful of sob stories or threats to sue, the graphic designer said.



Their graphic design company gets numerous calls that are meant for the car service app.

Robert Miller



Travis Kalanick, founder and CEO of the car service Uber Technologies
EPA

Recently, Kriegner was subpoenaed to appear before a state Workers Compensation Board judge after an Uber driver sued her company's insurance fund for compensation for a job-related injury. She was forced to spend two days on the matter — including attending a hearing at her own expense.

Kriegner said she wants to tell Kalanick “to pick up our phone and listen to what people have to say. Listen to your customers and your drivers.”

Kriegner said she only got Uber's attention once, after she and her sister — out of frustration — started giving absurd replies to callers.

“Sorry, it's raining today, we don't want to get our cars wet,” they told one caller looking for a ride.

That — finally — got the attention of Uber Technologies. Its NYC community manager, Ed Casabian, called shortly thereafter to find out what was going on.

Casabian promised to remove Uber Inc.'s phone number from Yelp. The number was removed — but it didn't stop the problem, she said.

A short time later, Kriegner ran into Casabian and a second Uber executive at a trade show and reminded them of her phone call nightmare.

Casabian's colleague — whose name Kreigner has forgotten — suggested she change her company's name.

Kriegner, whose firm has done print design work for Lenox Hill Hospital, Playboy and the United Nations, said she refuses to give up the name she has spent 15 years building just because Kalanick's Uber is bigger.

Kriegner has considered suing Uber Technologies, but she is afraid of it getting ugly, especially after reading about controversial plans by an executive to dig up dirt on journalists who write critically about the company.

“If they can dig up dirt on journalists, what's going to happen to me?” she asks. “I get run over by an Uber car one day?”

JOE NOCERA

über vs. Uber

By Joe Nocera

Dec. 5, 2014

Ü Herta Kriegner, a graphic artist from Austria, likes the German word “über.” It conveys, she told me recently, both a European sensibility and a sense of going “above and beyond” for a customer. In fact, she likes the word so much that 15 years ago, when she started her own small New York design firm, that’s the name she gave it: über.

Naturally, Herta listed über’s number in the Manhattan phone directory. She set it up so that after three rings the calls were routed to her cellphone. Her sister, Elena, a jewelry designer, also used the über office space, and the two women shared the phone number. For the next 12 years, this arrangement worked just fine.

Then, about three years ago, another Uber moved to town — Uber Technologies Inc., the app-based car company that is competing with taxis in cities all over the world. In New York, a city where the taxi monopoly has meant a chronic shortage of cabs, Uber has become very popular.

But unlike über, Uber does not have a phone number listed in the Manhattan directory. Like many online companies, it believes in the efficiency of communicating via email. The messy business of actually talking to people, well, that’s just so old-fashioned, isn’t it?

Just because Uber doesn’t want to talk to customers, though, doesn’t mean customers don’t want to talk to Uber. Sometimes there are problems that scream for human communication: an accident, a cellphone left in a car, a mixup with a bill. And sometimes, even though online communications may be more efficient, people are simply more comfortable talking to another human.

Which is how it came to be that Herta and Elena Kriegner became experts in Uber’s customer service, or lack thereof. When customers or drivers tried to find a number for Uber in Manhattan, they often wound up with the number for über. At first, the calls came every

few days. But as Uber has gained in popularity, the calls have come more frequently. Herta showed me a phone log listing more than 500 Uber-related calls that her little company has received just since August.

“I already had my first call this morning,” Herta told me when I went to see her and Elena a few days ago. “It was 8:30. A woman wanted a ride to the airport. I told her she needed the app.”

She and Elena have gotten calls from drivers who are having trouble with their applications, or questions about their insurance. There are mornings when Herta wakes up, turns on her cellphone, and hears a voicemail from an unhappy Uber customer spewing expletives. Recently, she had to go to court to prove that a driver trying to get workman’s compensation was suing the wrong Uber.

Early on, when Uber first learned of this problem, an executive named Ed Casabian told her that it was all because Yelp had mistakenly listed uber’s phone number — and that when it was removed all would be well. The number was removed, but the calls kept coming. A short time later, she bumped into Casabian at a trade show, where Uber had a booth. She asked him why the company didn’t talk to its customers or drivers.

“Because it’s not in our business model,” he replied, according to Herta. Thinking the issue was cost, she suggested that Uber set up a call center in India. “We don’t want our customers to talk to someone in India,” said Casabian.

“You would rather have them talk to me?” she asked.

These days, Herta and Elena get between one and 10 calls a day. Not long ago, a woman called to report that her daughter had been harassed by an Uber driver, and what should she do? Elena told her that Uber didn’t talk to customers, and she should instead go to the police and then to the news media. (In a statement — emailed, of course — an Uber spokeswoman said that the company’s “average response time” was less than an hour when customers emailed them with problems.)

As annoying as the calls have been, they have taught Herta and Elena a few things about what constitutes real customer service. One lesson is that many customers are always going to be more comfortable explaining a problem in a conversation with another person, rather than an impersonal email. Yes, it’s inefficient and cuts into profit margins, but companies that actually care about their customers do it anyway. Zappos’s customer service number is on its home page. Amazon’s isn’t hard to find either.

This week, Uber raised \$1.2 billion, giving it a valuation of \$40 billion. The company’s chief executive, Travis Kalanick, said that some of the money would be used to continue its breathtaking expansion. He also said that the company needed to “invest in internal growth

and change.”

Here’s a suggestion: Hire some people who will answer the phone.

A version of this article appears in print on Dec. 6, 2014, Section A, Page 23 of the New York edition with the headline: über vs. Uber

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Uber vs. Uber

-by Kathy Carvajal, December 5, 2014, My Fox New York

Original My Fox NY Article, Click here

NEW YORK (MYFOXNY) – It's a case of David and Goliath and who was here first.

Two Austrian sisters who started the Manhattan-based Uber Inc., a graphic design company, have had enough of Uber, the car service company.

In the past few years, Uber has taken off in New York City. With similar names, people often call the wrong number to complain about a variety of issues, all directed at the wrong people.

"We started to get sporadic calls from people who had questions, but as you can imagine over the years it has gotten more and more and now we get about 20 calls a day," said Herta Kriegner.

Uber Inc. employs 3-5 people on any given day. Uber boasts thousands of employees around the world.

Unfortunately, for Uber Inc., you can't have a patent on a corporate name.

BC



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“We ran into those guys a few years ago at a trade show when they were still small in New York and we explained the problem to them and the recommendation was ‘we think you should change your name because we’re growing.’ Why do we have to change the name?” said Herta Kriegner.

While it doesn’t seem likely Uber will change it’s name any time soon, the sisters say they’re slowly being pushed over the edge.

“I got subpoenaed to appear in front of the Workers’ Compensation board because I refused to pay workers compensation for a driver injured on the job,” said Herta Kriegner.

For now, she’s enlisting her sister, Elena Krieger, a jewelry designer who she shares office space with, to help field the calls.

PREVIOUS STORY

How Uber Is Making One Design Firm's Life A Living Hell

NEXT STORY

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Uber

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of David
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